

REMARKS

Claims 1-16 are now in this application. Claims 1-11 are rejected. Claims 1, 3-6 and 8-10 are amended herein to clarify the invention, to broaden language as deemed appropriate and to address matters of form unrelated to substantive patentability issues. New claims 12-16 are added.

The applicants and applicants' attorney appreciate the Examiner's granting of the telephone interview conducted on August 12, 2003, and extend their thanks to the Examiner for his time and consideration. The amendments herein and the remarks below reflect the discussions had in the interview.

Applicants herein traverse and respectfully request reconsideration of the rejection of the claims and objection cited in the above-referenced Office Action.

The abstract of the disclosure is objected to based upon noted informalities. The abstract is amended herein in a manner addressing the informalities. It is submitted that the amended abstract is in full conformance with 37 CFR 1.72 and MPEP 608.01(b). Therefore, reconsideration of the objection to the abstract is respectfully requested.

Claims 1-11 are objected to based upon informalities noted in the Office Action. Claim 1 is amended to correct these informalities. Withdrawal of the objection to the claims is therefore respectfully requested.

Claims 1-11 are rejected under 35 U.S.C. § 112, first paragraph, as not being enabled by the specification. The Office Action states that utilization of motion detecting mean is critical to the practice of the invention, and the rejection is based upon the fact that the claims do not recite this element. Independent claim 1 is amended to positively recite this element. Therefore, reconsideration of the rejection and allowance of the claims are earnestly solicited.

Claims 1-11 are rejected under 35 U.S.C. § 112, second paragraph for failing to recite the aforementioned motion detecting means. The amendment of claim 1 referenced above addresses this rejection as well. Therefore, reconsideration of the rejection and allowance of the claims are earnestly solicited.

Claims 8-10 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite based upon allegedly unclear language and lack of antecedent bases. The claims are amended to clarify the claimed subject matter and to insure antecedent bases for all claimed elements. Therefore, reconsideration of the rejection and allowance of the claims are earnestly solicited.

Claims 1-11 are rejected under 35 U.S.C. § 102(b) as being anticipated by Bolas et al. (US 5,513,129). Applicants herein respectfully traverse these rejections.

For a rejection to be sustained under §102(b) each and every element of the claimed invention must be disclosed in the cited prior art reference. It is respectfully submitted that the cited reference fails to disclose at least the following features and elements of the present invention as noted herein.

As brought to the Examiner's attention during the above referenced interview, Bolas et al. is silent regarding the sound generating means of independent claim 1 which, in accordance with the claimed invention, generates voices from the corresponding electrical signal data based on motions of the game player corresponding to the contents of instructions when the game player makes the motions in response to the contents of instructions. A thorough search by applicants of Bolas et al. failed to reveal any teaching relating to the generation of voices of any type.

Claims 1-11 particularly describe and distinctly claim elements not disclosed in the cited reference. Therefore, reconsideration of the rejections of claims 1-11 and their allowance are respectfully requested.

In accordance with Title 37, CFR, when a claim is rejected and "a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified." 37 CFR 1.106 (b). In order for the applicant to respond appropriately, it is respectfully requested that, in the event the pending claims are again rejected based on the cited Bolas et al. reference, the Examiner set forth the relevant teachings in the cited reference with reference to relevant column and line numbers or reference designators. At present, the Examiner has simply referred to the entire patent document (Figs. 1-11 and columns 1-12), and since it is the

applicants' position that the above element is absent from the teachings of Bolas et al., should the rejection be maintained, the Examiner is respectfully requested to identify with more particularity, where in the reference the above disclosure, averred to be present, is given.

Dependent claims 12-16 are added, and are submitted as patentable based on the subject matter cited therein in addition to the subject matter of claim 4 from which they depend.

Applicants respectfully request a two (2) month extension of time for responding to the Office Action. Please charge the fee of \$410 for the extension of time to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,
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